

Claim Rejections – 35 USC 112

Claims 1-3, 5, 8-10, 12, and 13 have been rejected by the Examiner citing 35 U.S.C. 112, second paragraph, arguing that there is no teaching of “permanently” attaching at least one radio-opaque fiduciary element to the housing made in the specification. Applicants, while preserving the right to object to the rejection of these claims on this basis, have deleted the requirement that the at least one radio-opaque fiduciary element be permanently attached to the housing, thereby rendering further argument on this point moot.

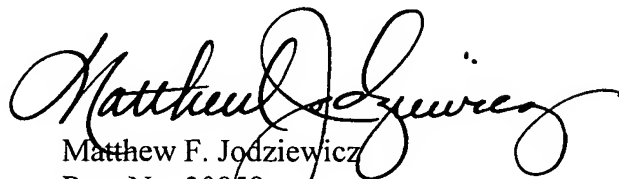
The Examiner has noted that claims 7 and 15 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended claim 1 by incorporating the structure of claim 7 therein, thereby forming an amended claim 1 which is claim 7 rewritten in independent form including all of the limitations of its original base claim 1. Remaining claims 2, 5, and 8 depend from claim 1 which is believed to be allowable as amended. Likewise, claim 13 has been amended by incorporating the structure of claim 15 therein, thereby forming an amended claim 13 which is claim 15 rewritten in independent form including all of the limitations of its original base claim 13.

In conclusion, Applicant has responded to pending Office Action dated March 27, 2007 by amending the claim language to the noted allowable subject matter and language. With this response Applicant believes the application to now be in condition for allowance, and allowance of the application is respectfully requested. If the Examiner disagrees with Applicant, or feels that additional clarification is necessary, Applicant’s attorney respectfully requests that the Examiner call Applicant’s attorney to determine if

the issue can be resolved prior to issuance of an additional office action in this matter.

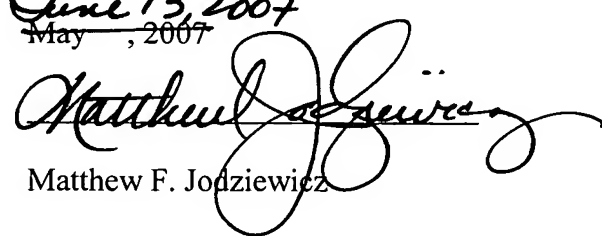
June 13, 2007
Date: ~~May~~, 2007

Respectfully submitted,


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CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

June 13, 2007
~~May~~, 2007

Matthew F. Jodziewicz